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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement*/ submitted by the International Confederation of Free Trade Unions, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[3 April 2000]

*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

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The ICFTU draws the attention of the Commission to those countries where we have registered serious trade union rights violations in the past year, among them, in particular - **Burma, China, Pakistan, Bangladesh, Malta, Belarus, Kosovo, Serbia, Djibouti, Equatorial Guinea, Morocco, Swaziland, Zimbabwe, Colombia, and Guatemala.**

China - The ICFTU tables the long list of abuses of workers' and other rights in China, where the situation has markedly deteriorated in 1999. The ICFTU top priority remains the situation of over 30 independent trade unionists who are currently serving long sentences in Chinese jails, including those who had been sentenced for having co-founded the "Free Labour Union of China".

At a time when it is discussing the possible entry of China into the World Trade Organisation (WTO), it is imperative for China to agree to abide by the same commitments, which it has made to observe core labour standards. China's record of violations of its workers most basic human rights is impressive: independent trade unions are illegal, suppressed and their leaders imprisoned. Despite repeated requests from the ILO Committee on Freedom of Association, trade unions and human rights organisations, the Chinese Government has not revised its attitude or behaviour towards independent trade unions. In this respect, the ICFTU press the Commission to adopt a Resolution which should urge China's Government, amongst other things, to ratify without reservations, International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and to co-operate fully with the thematic procedures and mechanisms of the Commission.

The adoption of a Resolution by the Commission should not be seen as incompatible with the on going "human rights' dialogue", such as that presently carried out between China and the European Union.

Burma, The recent suspension of co-operation with Burma (officially called Myanmar) by the ILO, is following a resolution tabled en June 1999 at the International Labour Conference. It is an unprecedented move in the history of this institution calling on the ILO to refuse Burma all technical assistance and to ban the country's representatives from attending the meeting, because of the systematic use of forced labour by the ruling military junta. Our estimates show that up to 800,000 Burma citizens are subject to forced labour on any single day in a total impunity. Beside forced labour, we must also denounce the continuing repression of trade unionists and other dissidents by Burma's military junta. Trade unionists are likely to suffer torture or other severe mistreatment in the early stages of their detention, while held in locations controlled by the junta's Military Intelligence (MI).

Pakistan, The ICFTU urges General Perwez Musharraf to take urgent steps to ensure a return to constitutional rule in the shortest possible time and to stop the on-going curtail of the legitimate rights of workers and of their representative organisations in the country.

Bangladesh, The ICFTU express its grave concern about the continued unlawful detention of the president of the Bangladesh Jatio Sramik League (BJSL), who was arrested and detained by police on October 6, 1999 in relation to his legitimate trade union activities and about the other 30 arrested trade union leaders.

Colombia, Systematic repression, including assassinations of leaders and activists of Colombia's trade unions has not slowed down in 1999, showing the complete inability of the government to stop this carnage. 69 Colombian unionists were killed in 1999 and 676 were death threatens and 33 disappeared. The year soberly ended with another crime: Cesar Herrera Torreglosa, General Secretary of the Colombian agricultural workers' union SINTAINAGRO. It is therefore urgent that the new government programmes set up to ensure that those who receive death threats enjoy proper protection.

The ILO has recently appointed a Direct Contact Mission in order to investigate the situation in the country, prior to the vote on the establishment of a Commission of Inquiry, the harshest measure in this UN agency's legal arsenal which will take place during it's the June 2000 session of the ILO Governing Body. In that context, governments must support the appointment of the ILO Commission of Inquiry. After more than 2.500 trade unionists have been murdered in Colombia over the last 12 years and hundreds more have disappeared or been forced into exile, the governments must take a clear stand over this unprecedented level of targeted repression against the trade union movement. The ICFTU calls the international community's attention to the fact that such selective repression of a group of people (in this case, trade union members, activists and leaders) may also be seen as a crime against humanity.

Guatemala, the ICFTU points out the string of violations of trade union rights in this country, especially against banana workers. A subsidiary of Del Monte, one of the main multinationals in the banana sector, on 27 September 1999 fired nearly 1,000 workers in Morales, violating collective agreements, refusing to negotiate, locking out workers and arranging for the mistreatment of trade unionists. The government of Guatemala must take all necessary measures to ensure that such acts will not remain unpunished and to ensure the physical and moral integrity of trade unionists and their family.

Morocco, the ICFTU strongly denounces the increasing anti-union repression in Morocco. At least 30 trade unionists have been arrested and sentenced or fined since the beginning of September 1999. The ICFTU Women's Committee, condemning the imprisonment of several women activists has addressed a specific protest to the Moroccan government.

Djibouti, In line with a recent formal complaint lodged by the ICFTU before the ILO for clear breaches of ILO Convention 87 on Freedom of Association, the ICFTU denounces the blatant interference of the government of Djibouti in the internal running of the UDT and UGTD. The repression of trade unionist is so strong that some of them must seek refuge abroad.

Equatorial Guinea, the ICFTU challenges the Government's claim that the country has moved towards democracy, since our evidence shows how workers have been trying without success for over five years to establish independent trade union organisations.

Swaziland, Massive problems continue to affect unions in Swaziland. The SFTU and its leaders continue to be harassed, intimidated and arrested.

Zimbabwe, In Zimbabwe, respects for trade union rights and civil liberties have deteriorated rapidly over the past two years.

Belarus, The ICFTU again denounces a Decree n° 2 issued by President Lukashenko at the end of January 99, which gives extraordinary powers to the State bodies for granting or refusing recognition to trade unions. The authorities continue to hamper the free functioning of independent trade unions.

Serbia, The ICFTU denounces the consistent violations of fundamental human rights, including freedom of association and of expression. In particular, we calls the Commission's attention on attacks on journalists, as well as continuing interference in the right of independent trade unionists to operate freely.

Malta, The ICFTU strongly protests against the brutal police's attack on 20 August 1999 during an industrial dispute at Malta International Airport 36 of the strikers were arrested and dragged into trucks to be taken to police headquarters.

Kosovo, East Timor and other post-war situations - The ICFTU also stress its strong preoccupation about the lack of any genuine social dimension in the international community's activities aiming at the reconstruction of several war-torn countries, regions or areas, including Kosovo, other areas of the Balkan region and East Timor.